GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:3546
ANSWERED ON:22.12.2004
REFUND OF EXCESS AMOUNT BY BSNL
Tripathy Shri Braja Kishore

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the BSNL received excess amount from private basic service providers;

(b) if so, the details thereof;

(c) whether the Telecom Dispute Settlement Appellate Tribunal has directed the BSNL to refund such amount with interest and not to extend the STD pulse rates in the inter-network calls during 2002-03;

(d) if so, the details thereof; and

(e) the names of the appellants which got such amount from the BSNL?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DR. SHAKEEL AHMAD)

(a) & (b) Sir, BSNL extended concessional tariff w.e.f. 25th January 2001 to its customers for Intra-circle calls within distance from 50-100 Kms and 101-200 kms to promote community of interest. TRAI issued a determination directing BSNL to apply this concessional tariff for the purpose of charging access charges from private basic service providers as well. In the opinion of BSNL this concessional tariff was not applicable for the purpose of sharing of revenue for calls from private basic service provider`s network carried by BSNL. Hence, the decision of TRAI was challenged by BSNL in Hon`ble TDSAT.

(c) & (d) Hon`ble TDSAT in its order dated 3rd November 2004 has ordered that `Nowhere in the pleadings in either of the appeals ABTO (Association of Basic Telephone Operators) has stated the exact amounts as claimed by it from BSNL. In this view of the matter, the accounts will have to be gone into if aforesaid BSOs (Basic Service Operators) have made any payment in excess to BSNL from their own resources without billing their respective subscribers. To go into the accounts of both BSOs and BSNL to arrive at the figure of any excess payment made by BSOs to BSNL during the period from 03.07.2001 to 01.05.2003, we appoint Shri N. Parathasarthy, former Member (Finance) Telecom Commission as Local Commissioner`.

(e) None of the appellant has got any refund from BSNL as the same is yet to be determined by the `Local Commissioner` appointed by Hon`ble TDSAT. The names of the appellant basic service providers in this case are as follows:-

1. HFCL Infotel Ltd.
2. Hughes Telecom (India) Ltd.
3. Shyam Telelink Limited
4. Tata Teleservices Limited
5. Bharti Telenet Limited